

STAFF ANALYSIS

PROJECT NO.

03-135-(1)

CASE NO.

Parking Permit 03-135-(1)

PROJECT DESCRIPTION

The applicant requests a Parking Permit to authorize less than required parking for a dance school in an existing commercial building shared with a party supply and rental store, a bakery and take-out café. A small market in a separate building also shares the available 28 parking spaces. Pursuant to County Code the existing uses require 140 spaces. The buildings in the area were built in the late 1920s and do not have parking areas of sufficient size to accommodate today's off-street parking requirements. The hours of operation for the dance school would differ from those of the market and other adjacent uses, as the proposed hours of operation for the dance school are in the evenings, between 6 p.m. and 11 p.m. According to the applicant, the existing market, café and party supply store operate between 8 a.m. and 6 p.m., daily.

DESCRIPTION OF SUBJECT PROPERTY

The subject property is located at 342 ½ N. Ford Boulevard, within the Eastside Unit No. 4 Zoned District. The property is approximately 26,136 square feet in area; the parcel is level, rectangular shaped and developed with a 13,397 square foot two-story commercial building with an attached 790 square foot take-out café. A one-story approximately 5,000 square foot mini-supermarket is located across from the existing parking area. Access to the property is taken from Ford Boulevard to the west.

ENTITLEMENTS REQUESTED

The applicant requests a Parking Permit to authorize less than required parking for a proposed 4,560 square foot dance school with a maximum occupancy of 265 persons.

Per County Code Section 22.28.230 a dance school is a permissible use in the C-M (Commercial Manufacturing) zone.

Under current development standards 140 parking spaces are required; 28 spaces are available. This structure was established in the 1920s prior to current standards.

EXISTING ZONING

Subject Property:

The subject property is zoned C-M and is located within the East Los Angeles Community Standards District.

Surrounding Properties:

Surrounding zoning consists of:

- C-M, R-3 (Limited Multiple Residence) to the north;
- C-M, P-R (Restricted Parking) to the south;
- C-M, C-3 (Unlimited Commercial), R-3 to the east; and
- Caltrans property and the Long Beach Freeway (710) to the west

EXISTING LAND USES

Subject Property:

The subject property is developed with an approximately 13,400 square foot, two-story commercial building occupied by a party supply and rental store and bakery (first floor), with an attached, one-story take-out café (approximately 790 square feet) and a separate one-story market (approximately 5,000 square feet). The proposed dance school would operate on the second floor of the existing commercial building.

Surrounding Properties:

Surrounding land uses consist of:

- Commercial, a church, a public parking lot, duplexes and single-family residences to the north;
- Manufacturing, a school, duplexes and single-family residences to the south;
- Single-family residences, duplexes, and commercial to the east; and
- A public parking lot and the Long Beach Freeway (710) to the west.

PREVIOUS CASES/ZONING HISTORY

Previous Cases

Plot Plan 36906: Addition of storefronts and awnings, paint exterior walls and signage, approved 11/07/01. The addition of a take-out café was approved 1/29/2002.

Enforcement Case 030352: An enforcement file was opened in April, 2003, after complaints were reported to the Department of Regional Planning about the operation of a dancehall without a Conditional Use Permit. The applicant has since complied and there are currently no known violations on the property.

COMMUNITY PLANS

Land Use Policy Map

The land use designation for the subject property is "CM" (Commercial Manufacturing) in the East Los Angeles Community Plan, which consists of areas with a mixture of

businesses, small warehouses, light manufacturing, assembly plants, wholesaling, and other uses that do not generate large amounts of traffic, noise, congestion or odors. In addition, the subject property falls within the East Los Angeles Community Standards District. This District was established to provide a means of implementing special development standards for the unincorporated community of East Los Angeles.

Consistency Analysis

The retail plaza can be found compatible with the Commercial Manufacturing land use designation. The building is existing and no new construction is proposed.

Redevelopment Area

The subject property is located within the Maravilla Redevelopment Area, an area established to provide for the orderly growth and development of the community by eliminating, preventing, and discouraging the promulgation of blight conditions and encouraging preservation, rehabilitation, and development. The Maravilla Community Advisory Committee (CAC) has provided a letter in support of this project. The letter is included as an attachment to this report.

SITE PLAN DESCRIPTION

General Description

The site plan depicts the existing, approximately 13,400 square foot, two-story commercial building with retail and a bakery on the first floor and the proposed dance school on the second floor. 28 parking spaces, of which two are accessible to disabled persons are shown on the plan. Across the parking lot is an approximately 5,000 square foot mini-supermarket. Access to the subject property is shown from Ford Boulevard to the west.

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

PARKING

Per County Code Section 22.52.1100 establishments used for retail sales shall provide a minimum of one parking space for each 250 square feet of floor area. Offices shall provide one space for each 400 square feet of floor area. Eating establishments selling food for off-site consumption and having no seating or other areas for on-site eating shall provide one parking space for each 250 square feet of floor area per County Code Section 22.52.1110 (2). Parking requirements for a dance school are not specified in County Code, but may be found similar in use to a dancehall, which per County Code Section 22.52.1110 (1) requires one space for each three persons based on the occupant load as determined by the county engineer.

COMPLIANCE:

The existing on-site parking lot has 26 standard parking spaces and two additional spaces available for persons with disabilities. Assuming today's parking standards the following number of spaces would need to be provided for the existing businesses on-site:

USE	STANDARD	REQUIRED SPACES
Party rental/bakery	7,071 Sq. ft. @1 space/250 sq. ft.	28
Office	529 sq. ft. @ 1 space/400 sq. ft.	1
Take-out café	793 sq. ft. @ 1 space/250 sq. ft.	3
Dance school	Occupancy load of 265 persons @ 1 space/ each 3 persons	88
Market	5,000 square feet @ 1 space/ 250 sq. ft.	20
	TOTAL NO. OF REQUIRED SPACES:	140

It would be physically impossible to provide the required parking on-site. The buildings in this area were developed in the late 1920s, prior to today's parking standards. The first requirements for automobile parking spaces to be provided in conjunction with the construction of a new building were adopted in 1943 (Ordinance 4292, effective date 11/10/43). Two public parking lots have recently been constructed in the immediate neighborhood: A 60-space lot is located across the street (along Ford) from the subject property; an additional lot is located at the corner of Cesar E. Chavez and Ford, approximately 200 feet from the subject property. Both of these lots provide free parking.

Other Development Standards

East Los Angeles Community Standards District

Landscaping and Buffering

The subject property does not comply with the landscaping and buffering requirements applicable to properties in the C-M zone within the CSD. Pursuant to County Code Section 22.44.118 D. 4(c), all parking areas shall have a landscaped buffer of at least five feet in width adjacent to property lines. The subject property is devoid of landscaping and there is no space available for landscaping or buffering on the property. County Tax Assessor records indicate that the building was built in 1928, prior to the establishment of the current landscaping and buffering requirements.

Height

The two-story building is 30'-3" high and complies with the CSD height limit of 40 feet pursuant to County Code Section 22.44.118.7.

Signage

The applicant has not submitted any signage as part of this application. Any proposed signage shall comply with Code Section 22.44.118.3.

These requirements may be modified by the Commission where their strict application is deemed impractical because of physical, topographical, title or other limitations, if the Commission finds that the intent and spirit of the CSD standards are being carried out. (Code Section 22.44.118.D.5.b.)

There are no other development standards for the C-M Zone that are applicable to the subject property. The general landscaping and height limit requirements are superceded by the development standards of the CSD, and the applicant is not proposing any outside display or outside storage.

PARKING PERMIT BURDEN OF PROOF

- A. That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 because:
1. The age and/or physical condition of the residents is such that the use of automobiles is unlikely; or
 2. The nature of the use is such that there is a reduced occupancy; or
 3. The business or use has established a viable transportation program for its employee and/or customers to use transportation modes other than the single-occupant automobile. Such a program shall include positive incentives such as vanpool, transit fare subsidies, commuter travel allowances, car pools or bicycle commuter facilities. Where appropriate, proximity to freeways with high-occupancy vehicle (HOV) lanes, bus routes, park-and-ride facilities, people-movers, rapid transit stations, bikeways, or other similar facilities shall be a factor in this consideration; or
 4. The business land area is reserved or an alternative arrangement is approved to insure that the parking requirements may be complied with should the use, occupancy, or transportation program change. Such reservation or alternative may be waived for certain senior citizen and handicapped person housing developments where the director finds that it is unnecessary because of the anticipated permanent nature of such use. If required, the reserved land area shall be so located and developed in such a manner that it can be feasible converted to parking if needed.
- B. That there will be no conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces because:
1. Uses sharing parking facilities operate at different times of the day of the week; or
 2. Parking facilities using tandem spaces will employ valet or will use other means to insure a workable plan; or
 3. Apartment housing using compact spaces for a portion of the required parking have a management program or homeowners' association to assure an efficient distribution of all parking spaces.
- C. That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking lot and uncovered residential parking spaces will provide the required parking for uses because:
1. Such off-site facilities are controlled through ownership leasing or other arrangement by the owner of the use for which the site serves and are conveniently accessible to the main use; or

2. Such leases are written in such a way as to prevent multiple leasing of the same spaces or cancellation without providing alternative spaces; such leases shall contain other guarantees assuring continued availability of the spaces; or
3. Such traditional lots are designed to minimize adverse effects on surrounding properties; or
4. Uncovered parking for low and moderate-income residential developments will be appropriately screened and compatible with the surrounding neighborhood.

The applicant's responses are provided as an attachment to this report.

ENVIRONMENTAL DOCUMENTATION

This project has been determined Categorically Exempt (Class I) from CEQA reporting requirements. No new construction is proposed.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

To date staff has not received any comments on this project.

COMMUNITY GROUP RECOMMENDATIONS

The Maravilla Redevelopment Area Community Advisory Committee has submitted a letter in support of this application. The letter, dated September 8, 2003, is included as an attachment to this report.

PUBLIC COMMENTS

To date staff has not received any public comments on this application.

SITE VISIT

Staff visited the site on Wednesday, September 24, 2003 around 11 a.m. The on-site parking lot was not filled and the public lot across the street was nearly empty (see attached photos).

STAFF EVALUATION

Per County Code Section 22.56.990 the parking permit procedure is established to provide an alternative to the parking requirements of Chapter 22.52 in the event that a particular use does not have the need for such requirements, and to allow some flexibility in the design of particular uses that have special characteristics which reduce the number of parking spaces otherwise required.

The existing shortage in parking at this site is due to the fact that the buildings in this area were built prior to the establishment of today's standards (1928) and subsequently does not have the necessary space for current on-site parking needs. The first requirements for automobile parking spaces to be provided in conjunction with the construction of a new building were adopted in 1943 (Ordinance 4292, effective date 11/10/43).

The property is located in a low-income area, where a large portion of the population uses public transportation or walk to shopping areas. This commercial plaza is located in a mixed commercial and residential area, where single- and multi-family housing is located throughout the 500' radius (see attached land use map). The CAC, which represents the local community, also supports the project.

FEES/DEPOSITS

If approved as recommended by staff, the following fees/deposits will apply:

Zoning Enforcement:

A cost recovery deposit of \$750 to cover the costs of the 5 recommended biennial zoning enforcement inspections. Additional funds would be required if violations are found on the property.

RECOMMENDED ACTION

- Approve the Parking Permit subject to the attached draft conditions.

SUGGESTED MOTION

"I move that the Regional Planning Commission indicate its intent to approve Parking Permit No. 03-135-(1) and instruct staff to prepare findings and conditions for approval."

ATTACHMENTS:

Draft Conditions
Thomas Brothers Map
Burden of Proof
Site Plan
Land Use Plan
Photos

RJF:MBM
10/30/2003

